

The Georgia Board of Nursing met September 18-19, 2013 in Building B of the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia 31217.

WEDNESDAY, SEPTEMBER 18, 2013

MEMBERS PRESENT

Barry Cranfill, RN, CRNA, MHS, MBA, FAAPM, President
Nancy Barton, MSN, RN
Katherine Mann, RN, CRNA
Brenda Rowe, JD, MN, RN
Ashley Barnett, Consumer
Tammy Burdeaux, RN, BSN, CRNI
Anita Hufft, PhD., RN

STAFF PRESENT

James Cleghorn, Executive Director
Tricia Downing, JD, Assistant Attorney General

Cranfill called the meeting to order at 10:02 a.m. on Wednesday, September 18, 2013. A quorum to conduct disciplinary matters was present.

The Board discussed the September 9, 2013 hearing before the House Subcommittee on Professional Licensure and the meeting the Governor regarding insufficient resources to carry out the Board's statutory mission.

EXECUTIVE SESSION

Barton moved, Mann seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k); 43-1-19(h), 43-26-5(c) and 43-26-11, to deliberate on applications and enforcement matters and to receive information on applications, investigative reports and pending cases. The motion passed unanimously.

At the conclusion of the Executive Session on Wednesday, September 18, 2013, Cranfill declared the meeting to be "open" pursuant to the Open and Public Meeting Act, O.C.G.A. §§ 50-14-1 et seq. No votes were taken during executive session.

PROBATION TERMINATIONS BETWEEN MEETINGS

(RNI=Registered Nurse Investigative Case Number)

Mann moved to accept the following terminations of probation between meetings.

RNI130341	RNI110310	RNI110368	RNI130025	RNI040096	RNI090165	RNI070104
RNI060387	RNI130223					

Barton seconded the motion and it carried unanimously.

LEGAL/DISCIPLINE COGNIZANT CASES REPORT

(RNI=Registered Nurse Investigative Case Number)

Burdeaux moved to ratify the Cognizant's' recommendations and to close the following complaints:

RNI130217	RNI110254	RNI130003	RNI110131	RNI110522	RNI110361	RNI110269
RNI110091	RNI110534	RNI110518	RNI110012	RNI110697	RNI120311	RNI120258
RNI120348	RNI120373	RNI110148	RNI120302	RNI120158	RNI120261	RNI120312
RNI120299	RNI120143	RNI110957	RNI090236	RNI140022	RNI140023	RNI140050
RNI140145	RNI140053	RNI140055	RNI140018	RNI140086	RNI140147	RNI140097
RNI140110	RNI140125	RNI140115	RNI100104/	RNI140100		

Rowe seconded the motion and it carried unanimously.

REQUEST TO LIFT NARCOTIC RESTRICTIONS

(RNI=Registered Nurse Investigative Case Number)

Barton moved to accept the following recommendations for the cases listed below:

	RECOMMENDED ACTION
RNI110489	Lift narcotic restrictions.
RNI100347	Lift narcotic restrictions.
RNI100046	Lift narcotic restrictions.
RNI110723	Lift narcotic restrictions.
RNI110804	Lift narcotic restrictions.
RNI110499	Lift narcotic restrictions.
RNI090438	Lift narcotic restrictions.

Barnett seconded the motion and it carried unanimously.

NOTICE OF BORROWER DEFAULT ON CHILD SUPPORT

(RNI=Registered Nurse Investigative Case Number)

Barton moved to suspend the following license to practice as a registered professional nurse for failure to pay child support, and further move that this suspension shall cease upon the receipt by the Board of a "Notice of Release" from the Department of Human Resources. Mann seconded the motion and it carried unanimously.

Adam Joseph Pierre III RN181671

LEGAL/DISCIPLINE COGNIZANT FAILURE TO DISCLOSE CASES REPORT

(RNI=Registered Nurse Investigative Case Number)

Barton moved to ratify the Private Consent Agreements for licensure with a fine of \$500 for failure to disclose arrest(s)/disciplinary action on application that were issued and docketed according to the Board's policies.

APP#1835806 APP#1852264 APP#1813640 APP#1853604 APP#1835755 APP#2092169

Rowe seconded the motion and it carried unanimously.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

(RNI – Registered Nurse Investigative Case Number)

Mann moved to ratify the Private Consent Agreements for unlicensed/unauthorized practice that were issued and docketed according to the Board's policies.

**APP#1829188 APP#1842731 APP#1843375 APP#1845999 APP#1852320 APP#2090709 APP#2091649
APP#1853548 APP#1851848 APP#2093651/APP#2093652**

Burdeaux seconded the motion and it carried unanimously.

EDUCATIONAL COGNIZANT PRECEPTORSHIP APPLICATION REPORT

(RNI=Registered Nurse Investigative Case Number)

Mann moved to ratify the Cognizants' recommendations regarding preceptorship applications.

	RECOMMENDATION FOR BOARD ACTION
App. #1778912	Approve and issue temp permit.

Barnett seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned September 19, 2013 at 5:40 p.m.

THURSDAY, SEPTEMBER 19, 2013

MEMBERS PRESENT

Barry Cranfill, RN, CRNA, MHS, MBA, FAAPM, President
Nancy Barton, MSN, RN
Katherine Mann, RN, CRNA
Brenda Rowe, JD, MN, RN
Ashley Barnett, Consumer
Tammy Burdeaux, RN, BSN, CRNI

MEMBERS ABSENT

Anita Hufft, PhD., RN

STAFF PRESENT

James Cleghorn, Executive Director
Tricia Downing, JD, Assistant Attorney General

VISITORS PRESENT (During Executive Session, Visitors are excused unless scheduled for personal appearances)

Maxinee Black-Arias	Jayne Mahboubi	Lisa Heisler	Karen Waters	Donna McGraine
Navjyot Bedi	Carol Bowers	Sharon Grason	Diane White	Susan Walsh
Amanda Reichert				

Cranfill called the meeting to order at 8:30 a.m. on Thursday, September 19, 2013. A quorum to conduct disciplinary matters was present.

EXECUTIVE SESSION

Barnett moved, Burdeaux seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k); 43-1-19(h), 43-26-5(c) and 43-26-11, to deliberate on applications and enforcement matters and to receive information on applications, investigative reports and pending cases. The motion passed unanimously.

At the conclusion of the Executive Session on Thursday, September 19, 2013, Cranfill declared the meeting to be "open" pursuant to the Open and Public Meeting Act, O.C.G.A. §§ 50-14-1 et seq. No votes were taken during executive session.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

(RNI – Registered Nurse Investigative Case Number)

Applicant A.V., #1828073 – Barton moved to proceed with licensure by endorsement with a Letter of Concern re: Action in Another Jurisdiction. Mann seconded the motion and it carried unanimously.

Applicant S.H., #1824315 – Mann moved to proceed with licensure by endorsement with a strong Letter of Concern re: Alcohol. Burdeaux seconded the motion and it carried unanimously.

Applicant J.K., #1853646 – Barton moved to proceed with licensure by examination with a Letter of Concern re: Alcohol. Rowe seconded the motion and it carried unanimously.

Applicant R.S., #2283897 – Barnett moved to deny reinstatement. The applicant may reapply after successful completion of criminal probation and MPE within thirty (30) days of petition. Barton seconded the motion and it carried unanimously.

Applicant M.B., #1853792 – Mann moved to refer to Legal Services to write applicant to have an outpatient MPE as a condition of the Board's consideration of the reinstatement application and a personal appearance for an explanation for failure to comply with Tennessee Professional Assistance Program. Rowe seconded the motion and it carried unanimously.

Applicant G.J., #2281743 – Barnett moved to refer to the Attorney General's office for a hearing or to Legal Services for a public consent agreement for licensure by endorsement to include three (3) years probation, credit for one (1) year of sobriety, substance abuse stipulations, two (2) years narcotic restrictions, quarter reports (employer, aftercare and personal) and the respondent must fully comply with the Maryland Board of Nursing consent order. Burdeaux seconded the motion and it carried unanimously.

Applicant D.B., #1825839 – Mann moved to request applicant for a personal appearance and obtain certified copy of voluntary surrender related to the applicant's teaching certificate and a detailed letter of explanation. Burdeaux seconded the motion and it carried unanimously.

Applicant T.T., #1796138 – Rowe moved to approve preceptorship. Barton seconded the motion and it carried unanimously.

Applicant B.H., #1813684 – Mann moved to proceed with licensure by reinstatement with a strong Letter of Concern re: Drugs. Barton seconded the motion and it carried unanimously.

Applicant J.K., #2283403 – Rowe moved to proceed with licensure by endorsement with a Letter of Concern re: Substance Abuse. Burdeaux seconded the motion and it carried unanimously.

ATTORNEY GENERAL'S OFFICE

(RNI – Registered Nurse Investigative Case Number)

RNI060368 – Barton moved to accept initial decision while awaiting final decision. Barnett seconded the motion and it carried unanimously.

RNI100763 – Barton moved to accept the consent order as presented. Rowe seconded the motion and it carried unanimously.

CONSENT AGREEMENTS/ORDERS – ATTORNEY GENERAL'S OFFICE

(RNI – Registered Nurse Investigative Case Number)

Mann moved to accept the Attorney General's status and activity report and to accept the following consent agreements/orders as prepared by the Attorney General's office:

Vaughn, Kimberly Lynn White
West, Ramille Nicole
Massengill, Jessica
Milton, Melody

Paginini, Tina Michelle
Savard, Dixie Marie
Tubre, Jennifer
RNI110404

Walters, Lori Jenifer
Tyler, Vincent
Ewing, Jean
RNI120227

Evans, Sherry T.
Hull, John
Mitchell, Mary

Barton seconded the motion and it carried unanimously.

COMPLAINT INVESTIGATION REVIEW

(RNI – Registered Nurse Investigative Case Number)

RNI140065 – Barton moved to refer to the Attorney General's office for a hearing or to Legal Services for a private reprimand to include courses in Patient Privacy and Delegating Effectively. Mann seconded the motion and it carried unanimously.

MENTAL PHYSICAL EXAMINATION RESULTS

(RNI – Registered Nurse Investigative Case Number)

RNI110937 – Barnett moved to close the case with a strong letter of warning. License will be suspended for use of any drugs without a current and valid prescription, and the respondent must be in compliance with the consent order. Burdeaux seconded the motion and it carried unanimously.

SELF REPORT

(RNI – Registered Nurse Investigative Case Number)

RNI140033 – Barton moved to refer to the Attorney General's office for a hearing or public agreement not to practice for a minimum of three (3) months. The respondent may petition to return practice upon submission of a current MPE within thirty (30) days of petition. Rowe seconded the motion and it carried unanimously.

RNI130623 – Barton moved to refer to the Attorney General's office for an indefinite suspension. The respondent may petition for restoration of licensure after twelve (12) months of continuous documented sobriety and an MPE to be completed within thirty (30) days of petition. Rowe seconded the motion and it carried unanimously.

VIOLATION OF CONSENT ORDER

(RNI – Registered Nurse Investigative Case Number)

RNI060227 – Mann moved to deny request to restore. The respondent must submit a current MPE within thirty (30) days of petition. Barnett seconded the motion and it carried unanimously.

SELF REPORT

(RNI – Registered Nurse Investigative Case Number)

RNI100675 – Mann moved to close the case with a Letter of Concern re: Drugs. Barton seconded the motion and it carried unanimously.

RNI100056 – Mann moved to refer to Legal Services to order licensee to have an outpatient MPE. Results are to be reviewed by the Cognizant Board member and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Rowe seconded the motion and it carried unanimously.

RNI130647 – Mann moved to refer to the Attorney General's office for a hearing or to Legal Services for a public consent order to include four (4) years probation, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, aftercare, personal and psychotherapy) and a fine of \$500 for diversion. Rowe seconded the motion and it carried unanimously.

RNI120444 – Mann moved to refer to the Attorney General's office for a hearing or to Legal Services for a public consent order to include four (4) years probation, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, aftercare and personal) and a fine of \$500 for diversion. Barnett seconded the motion and it carried unanimously.

REQUEST TO LIFT NARCOTIC RESTRICTIONS

(RNI=Registered Nurse Investigative Case Number)

RNI090438 – Burdeaux moved to approve request to lift narcotic restrictions with a strong Letter of Concern re: Compliance. Barton seconded the motion and it carried unanimously.

VIOLATION OF CONSENT ORDER

(RNI – Registered Nurse Investigative Case Number)

RNI110921 – Barnett moved to deny license renewal and refer to the Attorney General's office for an indefinite suspension based on noncompliance with the Georgia Board of Nursing. Rowe seconded the motion and it carried unanimously.

SELF REPORT

(RNI – Registered Nurse Investigative Case Number)

RNI120611 – Rowe moved to close the case with a Letter of Concern re: Compliance. Barton seconded the motion and it carried unanimously.

MENTAL PHYSICAL EXAMINATION RESULTS

(RNI – Registered Nurse Investigative Case Number)

RNI120159 – Burdeaux moved to refer to the Attorney General's office for a hearing or to Legal Services for a private consent order to include four (4) years probation, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, aftercare, personal and medication management) and courses in Medication Administration and Documentation. Barnett seconded the motion and it carried unanimously.

VIOLATION OF CONSENT ORDER

(RNI – Registered Nurse Investigative Case Number)

RNI120192 – Barnett moved to refer to the Attorney General's office for a hearing or to Legal Services for a public consent order to include four (4) years probation, substance abuse stipulations, two (2) years narcotic restrictions, quarterly reports (employer, aftercare and personal) and a fine of \$1,000 for violation of previous consent order. The order may be extended pending allegations of diversion. Barnett seconded the motion and it carried unanimously.

RNI110296 – Rowe moved to refer to the Attorney General's office for an indefinite suspension based on violation of MPE order. Mann seconded the motion and it carried unanimously.

RNI130212 – Rowe moved to refer to the Attorney General's office for an indefinite suspension. Barton seconded the motion and it carried unanimously.

INVESTIGATIVE INTERVIEWS

(RNI=Registered Nurse Investigative Case Number)

RNI130599 – Rowe moved to uphold the previous motion from the July 17-18, 2013 board meeting. The respondent may change aftercare providers. Barton seconded the motion and it carried unanimously.

EDUCATION REPORT

NCLEX Reports

The following programs have a pass rate of less than 80% for the period of January 1, 2013 through September 16, 2013. The results reflect first time test takers only.

Bauder College – 48.98%
Brenau University – 73.53%
College of Coastal Georgia (ADN) – 70.37%
College of Coastal Georgia (RN) – 78.38%
Dalton State College – 67.35%
Georgia Highlands College – 77.7%
Middle Georgia State College (BSN) – 70.21%
Emory University – 78.02%
Shorter University – 55.88%

Bauder College

Bauder College submitted a corrective plan of action to address NCLEX pass rates. Additional information will be available after review of the pass rate for the most recent graduates.

Herzing University

Herzing University currently has initial approval from the Board. There have been several leadership changes in that program since the beginning of the calendar year. The program's annual report causes concern in several areas: 1) Lack of faculty [the program has a faculty/student ratio of 1:26 which does not meet the requirements of Rule 410-3-.03(7)] and lack of practice settings (the program lists only two practice settings).

Bainbridge College

Bainbridge College is preparing for an accreditation site visit. Information is needed from the Board stating that the program has maintained Board approval. The program has a current pass rate of 85%.

Rowe moved to extend approval for Bainbridge College through June 2014 to facilitate the accreditation visit scheduled. Barton seconded the motion and it carried unanimously.

Georgia Gwinnett College

Rowe moved to grant initial approval to Georgia Gwinnett College. Burdeaux seconded the motion and it carried unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Cleghorn reported on the following administrative items:

- Status report on applications and complaints/compliance for July 2013 and August 2013
- NURSYS Update
- PCI Publishing
- Prescription Drug Monitoring Program
- CORE Reports
- APRN – 3Ps as a Separate Course
- Georgia Professionals Help Program
- Late Renewal Period
- Inactive Status Rule
- Upcoming Engagements

Discussion was held regarding public disciplinary actions being available to anyone viewing The Georgian Nurse. Visitors to the meeting expressed concern regarding the Board's intent to publish all public disciplinary actions. The Board stood firm that the primary function of the Board was to protect, promote and preserve the health, safety and welfare of the public.

Discussion was held between members of the Board and professional staff from Ridgeview Institute (Donna McGraine) regarding the requirement for nurses to self-report to the Board. Ridgeview staff stated that there was no motivation for nurses to self-report. Cranfill stated that advocates and treatment providers should always recommend nurses to self-report.

The medical director for Talbott Recovery Campus (Dr. Navjyot Bedi) questioned the process for reporting and what steps the Board would take if diversion was revealed through aftercare treatment records rather than through an arrest or complaint. Carol Bowers (Talbott Recover Campus) stated that she always encourages nurses to self-report and asked questions regarding the Board's process for dealing with alcohol abuse unrelated to a licensee's job.

Professional staff from Ridgeview Institute questioned whether or not the Board was becoming more punitive and strict in its disciplinary actions. Ridgeview staff members indicated that they understood the Board's position regarding the need for licensees to self-report.

Cranfill discussed examples of aftercare patients being advised not to notify the Board of treatment. Cranfill stated that it would be helpful to the Board for advocates and treatment providers to develop policies and protocols requiring patients to notify the Board and employers. The Board wants to ensure there is no hesitancy for licensees to report.

Cranfill requested aftercare programs to direct nurses to Board Rule 410-11-.02(m) which states the following:

Nursing behaviors (acts, knowledge, and practices) failing to meet the minimal standards of acceptable and prevailing nursing practice, which could jeopardize the health, safety, and welfare of the public, shall constitute unprofessional conduct. These behaviors shall include, but not be limited to, the following:

(m) failing to notify the appropriate party of any unprofessional conduct which may jeopardize patient/client safety.

Staff members from Talbott Recovery Campus inquired whether or not it was appropriate for them to explain to nurses that entry into treatment may be credited towards probationary period imposed by the Board. The Board responded that cases are handled on a case by case basis but that credit is often given for documented recovery.

PROPOSED RULE 410-15-.01

Barton moved to post the proposed changes to Rule 410-15-.01. Barnett seconded the motion and it carried unanimously.

410-15-.01 INACTIVE STATUS

(1) A currently licensed registered professional nurse who wishes to maintain his or her license but who does not wish to practice nursing in this State may apply for inactive licensure status by submitting an application for inactive status and paying the required fee.

(a) A licensee granted inactive status is exempt from filing a biennial license renewal application and paying a license renewal fee.

(b) A licensee who holds an inactive license shall not practice as a registered professional nurse, shall not hold herself or himself out as a nurse, shall not use the title "registered professional nurse," and shall not use the designation "R.N."

(2) An inactive license may be changed to active status by filing an application for reinstatement with the Board, complying with reinstatement requirements, and paying a reinstatement fee, as determined by the Board. Applicants must be able to demonstrate to the satisfaction of the Board that he or she has maintained current knowledge, skill and proficiency in the practice of nursing and that he or she is mentally and physically able to practice nursing with reasonable skill and safety.

(3) Reinstatement of the license is within the discretion of the Board.

(4) Applicants for reinstatement who have not practiced as a registered nurse for at least five hundred hours within the previous four years must complete a Board approved reentry program.

(5) Applicants for reinstatement who have practiced as a registered nurse for at least five hundred hours within the previous four years must complete one of the five competency requirements within two years preceding the date of application for reinstatement.

(6) The Board may require the passage of an examination or other competency assessments. The Board, in its discretion, may impose any remedial requirements deemed necessary.

(7) The Board may deny reinstatement for failure to demonstrate current knowledge, skill and proficiency in the practice of nursing or being mentally or physically unable to practice nursing with reasonable skill and safety or for any ground set forth in O.C.G.A. §43-26-11.

(8) The denial of reinstatement is not a contested case, but the applicant shall be entitled to an appearance before the Board.

Barton moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as required by O.C.G.A. § 50-13-4. Burdeaux seconded the motion and it carried unanimously.

CORRESPONDENCE – JEFFREY SCOTT FOUCHE

The Board directed the executive director to respond stating that although the Scope of Practice Decision Tree does recommend consideration of national standards, it is not the only information that should be considered. National policy should not be reviewed in isolation. Licensees must review and abide by institutional policies. The Board is unwilling to state that any practice outside of AWOHN guidelines is outside of the scope of practice of a registered nurse. The licensee should refer to the institution's policy to make a final decision.

EXECUTIVE SESSION

Rowe moved, Barnett seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k); 43-1-19(h), 43-26-5(c) and 43-26-11, to deliberate on applications and enforcement matters and to receive information on applications, investigative reports and pending cases. The motion passed unanimously.

At the conclusion of the Executive Session on Thursday, September 19, 2013, Cranfill declared the meeting to be "open" pursuant to the Open and Public Meeting Act, O.C.G.A. §§ 50-14-1 et seq. No votes were taken during executive session.

INVESTIGATIONS

(RNI=Registered Nurse Investigative Case Number)

RNI130271 – Barton moved to close the case. Mann seconded the motion and it carried unanimously.

RNI130272 – Barton moved to close the case. Barnett seconded the motion and it carried unanimously.

RNI130011 – Barton moved to refer to Legal Services to order licensee to have an outpatient MPE. Results are to be reviewed by the Cognizant Board member and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Rowe seconded the motion and it carried unanimously.

RNI130043 – Mann moved to refer to the Attorney General's office to draft and issue a cease and desist order. Burdeaux seconded the motion and it carried unanimously.

RNI130460 – Barton moved to refer to Legal Services to order licensee to have an outpatient MPE or voluntary surrender. Mann seconded the motion and it carried unanimously.

RNI130472 – Barnett moved to refer to Legal Services to order licensee to have an outpatient MPE. If MPE does not reveal substance abuse/chemical dependence or mental health disorders, refer to Legal Services for a private consent order to include courses in Professional Accountability and Medication Management and a fine of \$260.70 for investigative costs. Barton seconded the motion and it carried unanimously.

RNI130175 – Mann moved to close the case. Burdeaux seconded the motion and it carried unanimously.

RNI130088 – Rowe moved to refer to the Attorney General's office for a hearing or to Legal Services for a private consent order to include courses in the Nurse Practice Act and Professional Accountability and a fine of \$161.20. Barnett seconded the motion and it carried unanimously.

RNI130411 – Mann moved to close the case. Barton seconded the motion and it carried unanimously.

RNI120524 – Barnett moved to refer to the Attorney General's office for a hearing or to Legal Services for a public consent order to include courses in Medication Errors, Documentation and Professional Accountability and a fine of \$500 for failure to disclose arrest and convictions on renewal application. Mann seconded the motion and it carried unanimously.

RNI130082 – Mann moved to close the case. Barton seconded the motion and it carried unanimously.

RNI130256 – Mann moved to refer to Legal Services to order licensee to have an expedited outpatient MPE. If MPE does not reveal substance abuse/chemical dependence or mental health disorders, refer to Legal Services for a public consent order to include courses in Medication Errors, Documentation and Professional Accountability and a fine of \$60.40 for investigative costs. If MPE reveals concerns, refer to the full board for review. If the respondent does not comply with the MPE but attempts to renew, refer to the Attorney General's office for an indefinite suspension. Barnett seconded the motion and it carried unanimously.

RNI130493 – Mann moved to refer to the Attorney General's office for a hearing or to Legal Services for a private consent order to include courses in Professional Accountability, Legal Liability for Nurses and Ethics and a fine of \$141.05. Burdeaux seconded the motion and it carried unanimously.

RNI130073 – Barton moved to refer to the Attorney General's office for a hearing or to Legal Services for a public consent order to include courses in Patient Safety, Documentation, Professional Accountability and Legal Liability and fine of \$110.82 for investigative costs. The respondent must notify the Board of the final disposition of the criminal case within ten (10) days of adjudication. The Board reserves the right to implement additional sanctions based upon the outcome of the criminal case. Burdeaux seconded the motion and it carried unanimously.

RNI130317 – Rowe moved to refer to the Attorney General's office for an indefinite suspension based on theft, fraud, and forgery and failing to provide the Board with a current address of record within thirty (30) days of change. The respondent may petition for restoration of licensure upon establishing and maintaining a repayment plan with the complainant for a period of one (1) year. Barnett seconded the motion and it carried unanimously.

RNI130072 – Barton moved to refer to the Attorney General's office for a hearing or to Legal Services for a public consent order to include courses in Patient Safety, Documentation, Professional Accountability and Legal Liability and fine of \$110.82 for investigative costs. The respondent must notify the Board of the final disposition of the criminal case within ten (10) days of adjudication. The Board reserves the right to implement additional sanctions based upon the outcome of the criminal case. Burdeaux seconded the motion and it carried unanimously.

RNI120701 – Rowe moved to refer to Legal Services to order licensee to have an outpatient MPE. Results are to be reviewed by the Cognizant Board member and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Mann seconded the motion and it carried unanimously.

RNI130230 – Barnett moved to schedule respondent for a personal appearance. Barton seconded the motion and it carried unanimously.

RNI120712 – Rowe moved to refer to Legal Services to order licensee to have an outpatient MPE. If MPE is clear, refer to Legal Services for a public consent order to include courses in Medication Errors, Documentation and Professional Accountability and a fine of \$156.40 for investigative costs. If MPE includes treatment recommendations, refer to the cognizant for direct referral of action based on those recommendations. Barnett seconded the motion and it carried unanimously.

RNI100675 – Rowe moved to close the case with a Letter of Concern re: Drugs and Criminal. Barton seconded the motion and it carried unanimously.

RNI130080 – Barnett moved to close the case. Mann seconded the motion and it carried with Rowe abstaining.

RNI140019 – Barton moved to deny reinstatement and refer to the Attorney General's office for an indefinite suspension. The respondent may reapply after twelve (12) months of continuous documented sobriety and a statement from the treating physician that the respondent is able to practice with reasonable skill and safety. Burdeaux seconded the motion and it carried unanimously.

RNI130107 – Barnett moved to refer to Legal Services to order licensee to have an outpatient MPE. Results are to be reviewed by the Cognizant Board member and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Rowe seconded the motion and it carried unanimously.

RNI130206 – Burdeaux moved to close the case. Barton seconded the motion and it carried unanimously.

RNI120552 – Burdeaux moved to close the case. Mann seconded the motion and it carried unanimously.

RNI120552 – Barnett moved to close the case. Barton seconded the motion and it carried unanimously.

RNI130066 – Barnett moved to refer to Legal Services for a public reprimand to include a fine of \$349.35 for investigative costs. Rowe seconded the motion and it carried unanimously.

RNI130147 – Burdeaux moved to refer to the Attorney General's office for a hearing or to Legal Services for a public consent order to include courses in Professional Accountability, Legal Aspects of Nursing, Assessment, Documentation, Ethics and Respecting Professional Boundaries and fine of \$500 for unprofessional conduct and \$248.70 for investigative costs. Burdeaux seconded the motion and it carried unanimously.

RNI140025 – Burdeaux moved to refer to the Attorney General's office for an indefinite suspension. Rowe seconded the motion and it carried unanimously.

RNI130451 – Barnett moved to refer to the Attorney General's office for an indefinite suspension. Rowe seconded the motion and it carried unanimously.

RNI120663 – Barton moved to close the case with a Letter of Concern re: Unprofessional Conduct and refer to the Attorney General's office for legal advice regarding paragraph 4.5 of the contract to determine if it is insurance fraud to routinely waive cost for out of network services; paragraph 2.8.1 of the contract regarding the possibility that the anesthesia company is in violation of GDNA by purchasing, dispensing and charging for propofol as well as unbundling the cost for propofol for anesthesia service. Investigate how they are purchasing the propofol as it may be a violation of pharmacy laws. Mann seconded the motion and it carried with Cranfill abstaining.

RNI130115 – Rowe moved to refer to the Attorney General's office for an indefinite suspension or voluntary surrender and place a hold on license renewal. Barton seconded the motion and it carried unanimously.

RNI130084 – Barton moved to place a hold on license renewal and refer to Legal Services to order licensee to have an expedited outpatient MPE. Results are to be reviewed by the Cognizant Board member and the Legal/Discipline Nurse Consultant. If warranted, refer to Legal Services or Attorney General's office for a hearing or consent order utilizing evaluation results and/or recommendations. If not warranted, close the case. Burdeaux seconded the motion and it carried unanimously.

RNI120526 – Rowe moved to deny application based on failure to meet educational requirement and close the case. Barnett seconded the motion and it carried unanimously.

RNI120616 – Mann moved to place a hold on license renewal, request the respondent to make a personal appearance before the Board and refer to the Georgia Drugs and Narcotics Agency for possible violation of lawfully ordering, dispensing and transporting of prescription medications. Barnett seconded the motion and it carried unanimously.

RNI120695/RNI140139 – Mann moved to place a hold on license renewal and follow the Cognizant's recommendation to refer to Legal Services for an expedited MPE. If the respondent does not comply within the specified timeframe, refer to the Attorney General's office for an indefinite suspension. Rowe seconded the motion and it carried with Barton abstaining.

LEGAL SERVICES

(RNI – Registered Nurse Investigative Case Number)

RNI130241– Barton moved to rescind the previous motion from the July 17-18, 2013 board meeting and refer to the Attorney General's office for an indefinite suspension. The respondent may petition for restoration of licensure after twelve (12) months of documented sobriety and an MPE within thirty (30) days of petition. Rowe seconded the motion and it carried unanimously.

RNI130047– Mann moved to rescind the previous motion from the November 14-15, 2012 board meeting and refer to Legal Services for a private consent order with the same terms as the previous order. Rowe seconded the motion and it carried unanimously.

RNI130181 – Barton moved to rescind the previous motion from the January 16-17, 2013 board meeting and close the case with a Letter of Concern re: Professional Practice. Burdeaux seconded the motion and it carried unanimously.

RNI130357 – Barton moved to uphold the previous motion from the July 17-18, 2013 board meeting. Barnett seconded the motion and it carried unanimously.

RNI080073 – Mann moved to grant the respondent's request for a hearing. Barton seconded the motion and it carried unanimously.

RNI111064 – Rowe moved to uphold the previous motion from the January 18-19, 2012 board meeting. Mann seconded the motion and it carried unanimously.

RNI140028 – Mann moved to uphold the previous motion from the July 17-18, 2013 board meeting. Burdeaux seconded the motion and it carried unanimously.

RNI100110/RNI130535 – Burdeaux moved to uphold the previous motion from the March 20-21, 2013 board meeting. Barton seconded the motion and it carried unanimously.

RNI140119 – Barnett moved to rescind the previous motion from the January 16-17, 2013 board meeting and proceed with licensure by initial authority. Mann seconded the motion and it carried unanimously.

RNI130288– Barnett moved to uphold the previous motion from the March 20-21, 2013 board meeting. Rowe seconded the motion and it carried unanimously.

RNI120329 – Barnett moved to terminate probation. Barton seconded the motion and it carried unanimously.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

Rowe moved, Barton seconded and the Board voted to approve applications for licensure and advanced practice authorization for the months of June 2013 through July 2013 that were determined, pursuant to Board approved guidelines, to have met licensure/authorization requirements.

APPROVAL OF BOARD MINUTES

Barton moved to accept the July 17-18, 2013 Board meeting minutes as amended. Burdeaux seconded the motion and it carried unanimously.

Barton moved to accept the July 17-18, 2013 Executive Session Board meeting minutes as amended. Burdeaux seconded the motion and it carried unanimously.

Barton moved to accept the August 22, 2013 teleconference Board meeting minutes as amended. Burdeaux seconded the motion and it carried unanimously.

Barton moved to accept the August 22, 2013 teleconference Executive Session Board meeting minutes as amended. Rowe seconded the motion and it carried unanimously.

There being no further business, the meeting adjourned September 19, 2013 at 2:25 p.m.


Barry Cranfill, **President**


James Cleghorn, **Executive Director**